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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Stephen Mitchell Baquet Family Trust,

10 Plaintiff,

11 v.

12 Bayview Loan Services LLC, et al.,

13 Defendants.  
14

No. CV-17-00617-TUC-DCB

**ORDER**

15 On July 13, 2018, the Court dismissed this case based on res judicata and claim  
16 preclusion concerns. It also noted that Plaintiff, a trust, may not appear pro se. On July  
17 16, 2018, the Plaintiff, again appearing pro se, filed a Motion to Vacate the Court's  
18 Judgment and Leave to Amend. (Doc. 32.) As this Court noted when it dismissed the  
19 case, no amendment could cure the deficiencies of the Complaint. (Order (Doc. 31) at 9.)  
20 The Plaintiff appears confused by two things: 1) the appealability of the Order and 2)  
21 whether it applied to the entire complaint.

22 The Court's reference to dismissal of the action is synonymous to dismissal of the  
23 complaint. This action, the Plaintiff's entire case as alleged in the Complaint, was  
24 dismissed. Confusion may have been created by the Court's failure to order entry of a  
25 Judgment. It does so now, which will afford the Plaintiff an opportunity to file an appeal  
26 within 30 days of the entry of Judgment. Fed.R.App.P.4(a)(1)(A).

27 **Accordingly,**  
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1           **IT IS ORDERED** that the Motion to Vacate and for Leave to Amend (Doc. 32) is  
2 DENEID.

3           **IT IS FURTHER ORDERED** that pursuant to the Order (Doc. 31), the Clerk of  
4 the Court shall enter Judgment against Plaintiff.

5           Dated this 18th day of October, 2018.

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A handwritten signature in black ink, appearing to read "David C. Bury", is written over a horizontal line. The signature is stylized with a large, sweeping loop at the end.

Honorable David C. Bury  
United States District Judge